

ENVIRONMENTAL ASSESSMENT

ELK ISLAND WMA JORGENSEN ADDITION

SEPTEMBER 2013



***Montana Fish,
Wildlife & Parks***

Draft Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed action:

Montana Fish, Wildlife and Parks proposes to purchase by fee title approximately 36.5 acres of riparian crop land along the Yellowstone River near Savage, Montana, for addition to the existing 1,525-acre Elk Island Wildlife Management Area (WMA). The property is currently operated as a private irrigated farm; the current landowners approached MFWP with an interest in selling.

The purchase, development and management of this site would enhance the functionality and broaden the “footprint” of the adjacent Elk Island WMA while helping minimize recreational conflicts with neighbors. Over the years FWP enforcement officers have responded to infrequent reports of trespassing on to neighboring private property by hunters on the WMA.

2. Agency authority for the proposed action:

Montana Fish, Wildlife and Parks has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209, MCA). In 1987, the Montana Legislature passed HB526 which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement, or fee-title acquisition (§ 87-1-241 and 242, MCA). The Habitat Montana Program, developed as a result of this legislation, provides direction for all FWP's wildlife habitat acquisition programs.

3. Name of Project:

Elk Island WMA Jorgensen Addition

4. Project Sponsor:

Montana Fish, Wildlife & Parks, Region 7
PO Box 1630
Miles City, MT 59301
(406) 234-0900

5. Anticipated Schedule:

Public Comment Period:	September 10-October 1, 2013
Decision Notice:	October 4, 2013
FWP Commission Final Consideration:	October 11, 2013
State Land Board Final Consideration:	October 21, 2013

6. Location affected by proposed action:

Elk Island WMA and the proposed Jorgensen acquisition are located in FWP Administrative Region 7, Richland County, Deer/Elk Hunting District 703, 3 miles northeast of Savage,

Montana along the Yellowstone River. The proposed acquisition comprises 36.5 acres located in T20N R58E Section 22 N2N2SE4. See vicinity map (Fig. 1) and aerial map (Fig. 2).

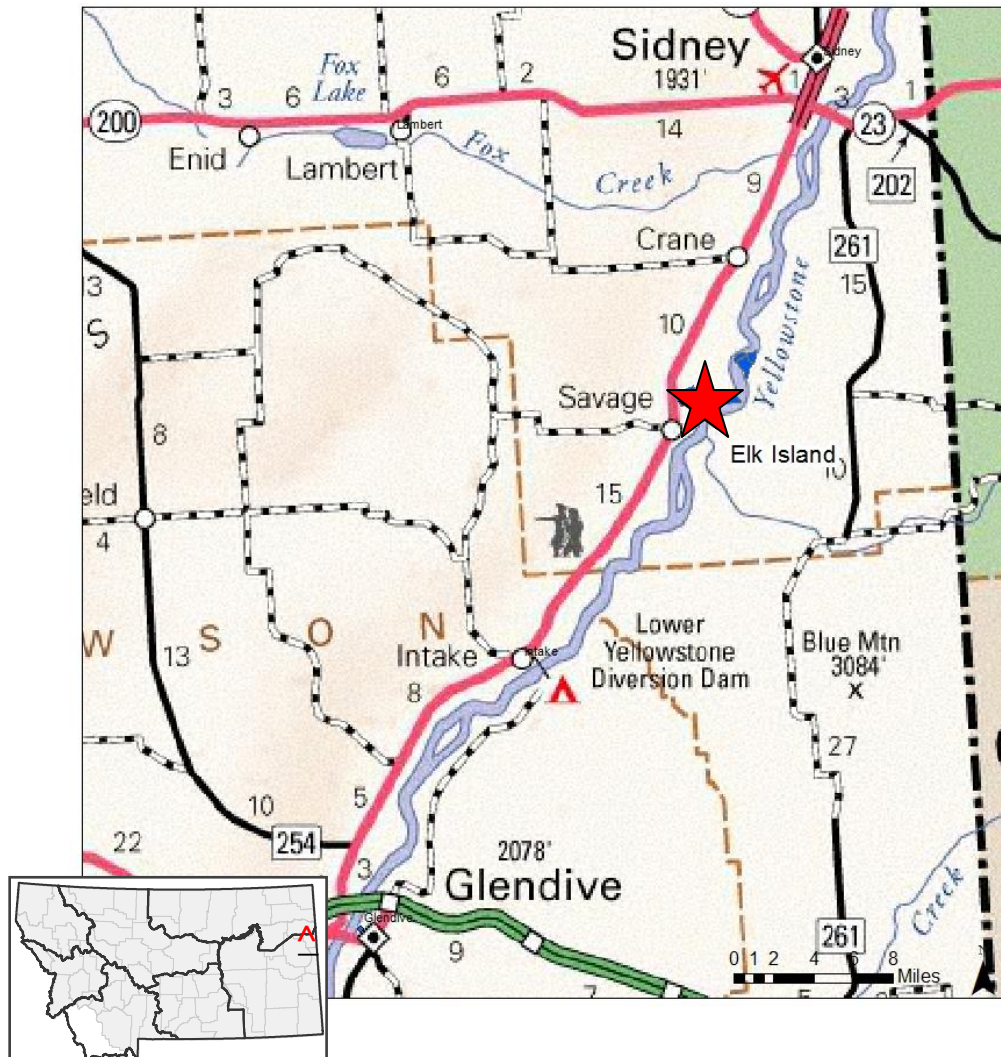


Figure 1. Elk Island WMA in eastern Montana is located near the town of Savage along the Yellowstone River in Richland County.

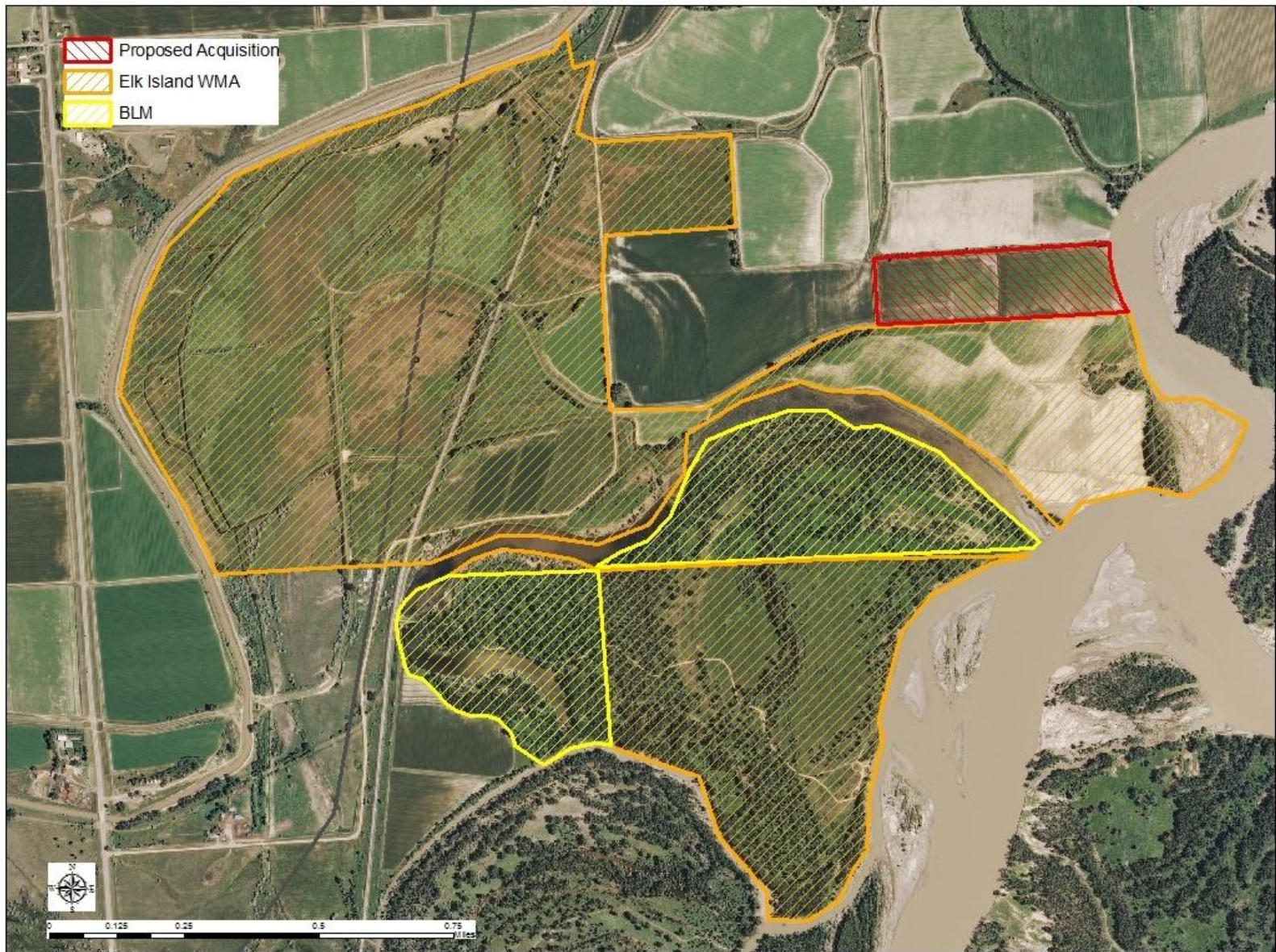


Figure 2. Aerial map of proposed addition to Elk Island WMA.

7. Project size:

Approximately 36.5 acres of riparian cropland are proposed for acquisition. The entire property is in the 100-year floodplain. Acreage listed below is more than the total to be acquired, as some lands fall into multiple categories

	<u>Acres</u>		<u>Acres</u>
(a) Developed		(d) Floodplain	<u>36.5</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive	
		Irrigated Cropland	<u>36.5</u>
(b) Open Space/Woodlands/Recreation	<u>0</u>	Dry Cropland	<u>0</u>
		Forestry	<u>0</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Rangeland	<u>0</u>
		Other	

8. Permits, Funding & Overlapping Jurisdictions:

(a) Permits:

None required

(b) Funding:

Habitat Montana Fund (hunting license money)	up to	\$ 91,250
State Wildlife Grant (federal grant)	up to	\$ 91,250
Total Purchase Price –		\$ 91,250

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name:</u>	<u>Type of Responsibility</u>
Richland County Weed District	weed inventory
FWP Commission purchase	approval
Montana State Land Board purchase	approval

9. Narrative summary of the proposed action:

Montana Fish, Wildlife & Parks (FWP) proposes the fee title purchase of 36.5 acres along the Yellowstone River in Richland County (Fig. 1, 2) using a combination of Habitat Montana funds (hunting license dollars) and State Wildlife Grant funds; the exact amount from each source has not been determined. The property is immediately adjacent to Elk Island WMA (Fig. 2), and would be included in and managed as part of the WMA. The total purchase price is \$91,250, as established by independent appraisal.

Features

The majority of the property consists of irrigated cropland. The property is currently operated as a portion of a private farm and is intensively farmed. As such, the current condition of the property as wildlife habitat is rated as fair to poor based upon the intensive nature of irrigated agriculture; however there is great potential to improve the site for wildlife benefit. Habitat improvements may include reclaiming riparian areas to allow natural regeneration of native riparian cottonwood habitats and developing and managing dense nesting, brood rearing, hiding

cover and winter food plots for the benefit of resident wildlife. Acquisition and management of this site would expand and enhance the functionality of the WMA for wildlife habitat, landscape connectivity, and recreational opportunity. Allowing the cottonwood and riparian habitats to regenerate would improve localized bank stabilization and lessen erosion potentially preserving adjacent private cropland.

The cropland is flood irrigated with water supplied from the Lower Yellowstone Irrigation District. This fee is included with the annual tax bill (approximately \$3,400). No buildings, fences, or other structures are included with the property. The property is bordered by a graveled access road on the southern boundary.

Management Objectives & Wildlife Values

Yellowstone River riparian areas provide year round habitat for a variety of native species including neotropical migratory birds, endemic songbirds, a host of small mammals, and bats. Wetland birds and waterfowl use the river corridor during the summer reproductive season and annual migration. American kestrels, northern harriers, red-tailed hawks, and Swainson's hawks, and are common in the area. Common nighthawks, belted kingfishers, American white pelicans and great blue herons are also found along the Yellowstone River. Two active bald eagle nests are located along the Yellowstone River within 2 miles of the property and winter use by eagles is common. The property provides habitat for important game species including white-tailed deer, pheasants, and other upland game birds.

Riparian and wetland communities, the most limited habitat types in Montana, support the highest concentration of plants and animals in Montana. The lower Yellowstone River and its associated wetland/riparian and cropland complexes are highly diverse and productive wildlife habitats with documented use of at least 127 vertebrate species. The pallid sturgeon, a federally listed species, has been observed along with 16 species that are either Montana Species of Concern (SOC) or Comprehensive Fish and Wildlife Conservation Strategy Tier I species (Table 1). Additional SOC/Tier I species likely use the lower Yellowstone River corridor, at least intermittently, but have not been documented in the local area. These include federally-endangered whooping cranes and SOC/Tier I species such as shortnose gar, northern redbelly dace, veery, loggerhead shrike, long-billed curlews, golden eagles, peregrine falcons, other occasional songbirds, Great Plains toads, milksnakes, Townsend's big-eared bats, and hoary bats.

Table 1. List of federally threatened and endangered species (#; 2 species), Montana Species of Concern (*; 14 species), and Comprehensive Fish and Wildlife Conservation Strategy Tier I Species (+; 12 species) known to occur in or along the lower Yellowstone River.

FISH:	Pallid sturgeon # * +
	Paddlefish * +
	Sturgeon chub * +
	Sicklefin chub * +
	Blue sucker * +
	Burbot +
	Sauger * +
BIRDS:	American white pelican*
	Bald Eagle * +
	Interior least tern # * +
	Caspian tern*
	Great blue heron*
REPTILES:	Snapping turtle* +
	Spiny softshell turtle* +
AMPHIBIANS:	Northern leopard frog*+
MAMMALS:	Meadow jumping mouse

This proposal meets two of FWP's major objectives for the Wildlife Division: habitat protection and enhancement, including the Habitat Montana priority of conserving riparian habitat, and promoting public recreational access. If this parcel is purchased, management will be included in and coordinated with the goals outlined in the existing Elk Island WMA Management Plan (see Appendix A). These goals include continued growth and development of existing riparian cottonwood zones, wetlands and natural areas. Some of the crop land in production would likely remain in crop production for the benefit of resident & migratory wildlife. Riparian areas would be restored and/or allowed to recover. Agricultural and habitat improvement activities would probably be implemented through a share-cropping arrangement with a local private agricultural operator. The share-crop arrangement would be opened for public bid. In this type of arrangement, the operator would harvest agricultural crops for commercial benefit in exchange for implementing habitat improvement projects and/or leaving a portion of the crop in the field for wildlife food (winter food plot) and cover. Restored riparian areas would be managed for dense nesting cover, brood rearing, and hiding cover for the benefit of resident wildlife.

The proposed acquisition and management has the following goals, in keeping with the Comprehensive Strategy, Region 7 priorities, and public opportunities:

- Implement long-term riparian and wildlife best management practices while sustaining recreational resources;
- Protect Yellowstone River riparian areas from degradation and development;
- Enhance riparian areas, primarily through practices that allow riparian vegetation to recover;

- To enhance the functionality of Elk Island WMA for wildlife, landscape connectivity, and recreation.

Recreational Access

The property would be open to public hunting as allowed under FWP hunting regulations. White-tailed deer, upland game birds, and waterfowl are commonly hunted in the local area. A review of existing Block Management areas along the Yellowstone River suggests that Elk Island WMA provides an estimated 700 hunter days annually. The boat ramp at the adjacent Elk Island FAS provides access to the Yellowstone River. Anglers commonly fish for paddlefish, catfish, sauger, walleye, and goldeye. The acquisition would provide additional area for bank anglers to fish. Finally, the proposed acquisition would contribute to non-hunting recreation. Riparian habitats provide excellent opportunities for wildlife viewing, hiking, photography, and nature study.

Expansion of Elk Island WMA is warranted because overall use of area WMAs has nearly tripled recently due to increased populations and traffic resulting from increased oilfield activity. Visitation for the WMA and the FAS combined is estimated to be about 25-30,000 visits annually, based on current use observations and other FWP sites in the area. Expanding populations have also lead to increased instances of private parties purchasing Yellowstone River riparian habitat for personal recreation and housing development. This is very likely a one-time opportunity for MFWP to purchase the parcel for public use and enjoyment, and protect the area from subdivision and development in perpetuity.

The proposed acquisition is accessible off Montana Highway 16 by a good gravel county road, which is also the current main access road for Elk Island WMA and FAS. No additional developments (roads, parking areas, etc.) are planned for the proposed acquisition—the property would be open to walk-in access or boat-in access. Boundary identification signs would be hung along the perimeter to reduce trespass on neighboring private land. All Elk Island WMA regulations would apply to the proposed addition, such as camping limits, prohibitions on the use of fires, fireworks, littering, firearm discharge except during commission approved hunting seasons and vandalism.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action:

Under the No Action Alternative, FWP would not purchase the property. Wildlife would not benefit from greater habitat connectivity along the Yellowstone riparian corridor. The property would likely be sold to another buyer and the public would likely lose access to this land and the Yellowstone River for a variety of hunting and recreational activities. A purchase of this property by a private entity would exacerbate trespass, and game damage conflicts in the areas. Furthermore, wildlife habitat may diminish if a new owner initiates intensive development activities.

Alternative B: Proposed Action:

FWP proposes to purchase approximately 36.5 acres to manage in concert with the adjacent Elk Island WMA. Through the Proposed Action, FWP would secure permanent public access to this land and an additional reach of the Yellowstone River. Management would protect and enhance the riparian community, and produce crops and cover on some of the developed agricultural land to support resident wildlife.

Alternatives Eliminated from Further Study

Partial Property Purchase. The size of the parcel is small (36.5 acres), and the landowner is only interested in selling the parcel as a whole. Thus, other combinations of parcels or alternate acquisition configurations are not being considered.

Conservation Easement. An alternative to purchasing fee-title ownership would be to purchase a conservation easement on the property. The landowner, however, was not interested in continuing to own the property, so a conservation easement was not a viable option and is not an alternative considered in the scope of this EA.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

<u>1. LAND RESOURCES</u>	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				1a
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

The proposed MFWP acquisition would likely offer positive impacts to soil stability, and reduce siltation, deposition, and erosion patterns due to the intent to allow riparian zones to recover and portions of crops to stay in the field for winter food plots. As with current farming practices, there may be temporary disruption or displacement when planting crops for food plots. No changes are anticipated that would alter soil stability, unique geologic or physical features, or expose people or property to a variety of ground failures. The landowner would retain oil and gas rights to the property, however no surface occupancy will be allowed because the entire parcel is within the 100 year floodplain. Surface mining for removal of gravel or other minerals will not occur.

1a. Allowing the cottonwood and riparian habitats to regenerate would improve localized bank stabilization and lessen erosion potentially preserving adjacent private cropland.

<u>2. AIR</u>	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions or pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		N/A				
f. Other		X				

Due to similar management practices and enhanced riparian conservation, air quality is not expected to be adversely affected.

3. WATER Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				
n. Other		X				

FWP acquisition of the property and management as a WMA would have no effect on existing quality, quantity or flooding of natural surface waters or groundwater. The proposed MFWP acquisition would likely offer positive impacts to water quality through reduced siltation, deposition, and erosion due to the intent to allow riparian zones to recover and portions of crops to stay in the field for winter food plots. Additional roads are not intended, as the site would accommodate walk-in or boat-in use only. The entire property is within the 100-year floodplain. Due to increased public use, more people may be exposed to floodwaters when they occur. If road conditions are flooded, FWP commonly closes sites to reduce public danger and road degradation. Irrigation rights would transfer to FWP with no change in allocated volume. These rights stem from Lower Yellowstone Irrigation District ditch. Crop lands on the property have typically been flood irrigated. This practice would likely continue with modifications to meet the new management focus of raising food plots and habitat restoration.

4. VEGETATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X positive			4a
b. Alteration of a plant community?			X positive			4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?			X			4d
e. Establishment or spread of noxious weeds?		X				4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other		X				

Impacts to the plant community would be limited through site protection measures, including signs, fencing and parking area delineation to preclude off-road traffic. Management would promote walk-in use; vehicles would be limited to designated parking areas and established roads.

- 4a. The property would be managed similarly, but with a higher emphasis on restoring riparian vegetation and agricultural crops in an effort to provide additional wildlife forage and habitat.
- 4b. FWP would evaluate alternative solutions for cropland in an effort to provide food plots for resident wildlife, expand riparian habitat, and improve nesting cover. Certain plant communities offer prime wildlife habitat and will be developed conserved or enhanced.
- 4c. Management as proposed would likely benefit potential vegetative species of concern due to reduced vehicle travel and disturbance, weed control efforts and land management practices that conserve and enhance native riparian growth. In a database search conducted by the Montana Natural Heritage program, no federally listed species are known to occur on the parcel.
- 4d. A small reduction in agricultural production to market may be seen in an effort to improve riparian areas, wildlife habitat, and provide food plots for wildlife.
- 4e. The addition will be managed as part of the Elk Island WMA, and will be under the same weed control plan as the WMA. The proposed acquisition would not induce the expansion of noxious weeds in the area. If the acquisition is approved, FWP would initiate the Statewide and R-7 Weed Management Plans using an integrated approach to control the noxious weeds on the property by using chemical, biological and mechanical methods. In addition, Region 7 has cooperative agreement with the Richland County Weed District to manage weeds along roadways and interior lands. Weeds have likely been introduced historically through past flood events. FWP would aggressively manage weeds on the parcel to facilitate the restoration of native vegetation and high crop yield. Portions of the area that currently are annually cropped would be established into multiyear stands of dense nesting cover, reducing the extent of annual and noxious weeds. In addition, motorized vehicles would be restricted to existing designated roads, which would help prevent the spread of noxious weeds. Because FWP already manages Elk Island WMA, the adjacent addition would be easily integrated into current management and cooperative weed control efforts with Richland County.

5. FISH/WILDLIFE	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?			X positive			5b
c. Changes in the diversity or abundance of nongame species?			X positive			5c
d. Introduction of new species into an area?		X				5d
e. Creation of a barrier to the migration or movement of animals?		X				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g
h. For P-R/D-J, will the project be performed in any area in		N/A				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				
j. Other		X				

5a. The proposed acquisition would protect and enhance a highly diverse and productive wildlife habitat area. The Yellowstone River riparian corridor is key to maintaining stable white-tailed deer, pheasant, turkey, furbearer and native species populations primarily because of the existence of winter habitat. Most of the surrounding uplands lack suitable winter habitat components, so this habitat is key to maintaining huntable, populations of these important game species. In addition to providing year round habitat for white-tailed deer, pheasants and other upland game birds, the lower Yellowstone River provides habitat for many nongame species, both migratory and resident. The proposed project is expected to have only positive benefits on fish and wildlife habitat because riparian areas would be protected from development and enhanced for wildlife benefit.

5b/c. In addition to providing year-round and critical winter habitat for important game species, the local area provides year round habitat for a variety of native species. The Yellowstone River provides important habitat for migratory wetland birds during the summer reproductive season and annual migration. American kestrels, northern harriers, red-tailed hawks, Swainson's hawks, and common nighthawks seasonally utilize the Yellowstone River riparian corridor. Belted kingfishers and American white pelicans and great blue herons are also found along the Yellowstone River. Two active bald eagle nests are located along the Yellowstone River within 2 miles of the property and winter use by eagles is common. The addition of food plots, increased cover, dense nesting habitat and protection/restoration of riparian areas is expected to increase the diversity and abundance of both game and non-game species.

5d. FWP has no intentions to introduce new species to this area; nor is the risk considered to be greater for new species being inadvertently or purposefully introduced by the public if the proposed acquisition is completed.

5e. FWP management of Elk Island WMA and the new addition would be combined and therefore enlarging the footprint of the WMA. The increased size of the WMA and a larger landscape with cohesive management practices would promote connectivity between wildlife habitats from upland, forage and riparian zones with fewer barriers to wildlife movement.

5f. One federally-endangered fish species (pallid sturgeon), 6 SOC/Tier I fish species, one federally-endangered bird species (interior least tern), 4 SOC/Tier I bird species, 2 SOC/Tier

1 turtle species, 1 SOC/Tier I amphibian species, and 1 SOC/Tier I small mammal are known or expected to occur along the lower Yellowstone River (see Table 1 in the narrative section). In addition to the species listed in Table 1, federally-endangered whooping cranes could potentially utilize the area during migration. Other SOC/Tier I species in Montana that could potentially occupy the property or the local reach of the river at least seasonally include the following fish: shortnose gar, northern redbelly dace; birds: veery, loggerhead shrike, long-billed curlew, golden eagle, peregrine falcon, other occasional songbirds; amphibians: great plains toad; reptiles: western hog-nosed snake, milksnake; and mammals: Townsend's big-eared bat, hoary bat. All these species may pass through this parcel or occur in this reach of river, and would benefit from the acquisition and proposed conservation-focused management with plans to protect and improve wildlife habitat.

- 5g. FWP management of the property combined with Elk Island WMA would provide opportunities for hunting whitetail deer, pheasants, other upland game birds, and waterfowl as allowed by annual hunting regulations in Region 7. Hunter harvest of game animals does not limit the abundance of game animals because season structures and bag limits are set at sustainable levels to maintain wildlife populations.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other		X				

Public use of a WMA does not typically create major noise other than during hunting seasons when rifles or shotguns are fired. Purchase of the property will not increase noise above levels currently experienced in the area. Hunting is a traditional and common activity in the area and would not be considered a severe or nuisance noise levels.

7. LAND USE	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				7b
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other		X				

Management of the property would be absorbed into the existing Elk Island WMA, thus no conflicts are anticipated due to similar existing management on these adjacent lands. FWP would work to manage use on the WMA in ways that minimizes conflicts with neighbors, such as providing adequate parking, fencing and signage that the public can easily recognize

public/private land boundaries. Additional wildlife food resources to be established on the WMA have the potential to reduce game damage conflicts with neighboring landowners.

7a. The 36.5 acres proposed for acquisition would be managed for some commercial production with additional wildlife habitat and forage. The proposed crop share arrangement may slightly reduce profitability in the future if more emphasis is placed on habitat and wildlife winter food. This would be negotiated with the operator. In some cases, changes in productivity may be negligible depending on the crop, the seasonal growing conditions, the agreement negotiated, and public interest in farming this parcel.

7b. The Yellowstone River riparian zone provides a diverse and productive habitat. Conserving this habitat would maintain and conserve natural areas provide habitat connectivity for over 100 species and retain opportunities to study this ecosystem.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				8b
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other		X				

No human health hazards are anticipated by the acquisition.

8a. If acquired, the Statewide and R-7 weed management plans call for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe application techniques. Weeds may also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination. Given that the land is already in intensive agricultural production, risks associated with herbicide use are not expected to increase above current levels.

8b. The public would be using the same access routes currently used for Elk Island WMA. FWP works closely with county emergency response teams to respond to public accidents. Richland County has seen a large increase in the number of emergency responses over the last year, according to the *Sidney Herald*. This is primarily due to the influx of people associated with the area oil industry development. The proposed land acquisition is not expected to have a significant impact on the county emergency response teams due to several factors: 1) limited improvement and therefore limited additional parking/camping on the parcel; 2) restrictions in overnight use; 3) no vehicle access to the addition; and 4) increased enforcement by FWP game wardens, along with periodic biologist presence in the immediate area to better manage use.

9. COMMUNITY IMPACT	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				9c
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other		X				

The proposed addition would have no effect on local communities, increase traffic hazards, or alter the distribution of population in the area. The fee title acquisition would provide additional recreational access. Access would be walk-in only and vehicles would be limited to existing roads. Visitation may increase somewhat due to the additional acreage open to public recreation. Use of the adjacent Elk Island WMA and FAS has nearly doubled in the last few years. Staff observations and comparisons to other sites along the Yellowstone River indicate that approximately 25-30,000 people visit Elk Island WMA annually. This increase seems to stem from the influx of people affiliated with oil field development. The increased visitation would not be directly due to the addition of more public land for wildlife habitat or for hunting, fishing and wildlife viewing activities typically seen at WMAs, but more for camping, and a mix of day use activities not directly related to traditional WMA use. Use numbers may continue to increase somewhat with the proposed acquisition, but minimizing new road access, signs, boundary fences and effective enforcement of WMA regulations should help limit improper or illegal uses of the site.

9c. The proposed acquisition would not alter the social structure or employment in the area.

Please refer to the Socio-Economic Assessment in Appendix B.

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				10a
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		N/A				10e
f. **Define projected maintenance costs.		N/A				10f
g. Other		X				

The proposed action will have no impact on public services/taxes/utilities.

10a. Minimal services would be needed beyond what FWP staff are currently providing at Elk Island WMA and FAS. FWP would be responsible for these services, including: site maintenance, weed control in cooperation with Richland County Weed District, fish &

wildlife law enforcement, and litter pick up on the site. FWP enforcement staff currently patrol the existing WMA and would also patrol the additional land and continue to cooperate with local law enforcement.

- 10b. FWP is required by law to pay taxes in an amount equal to that of a private individual. FWP would continue to make the annual tax payments based on the assessment provided by Richland County (approximately \$3,400). The Lower Yellowstone Irrigation District annual assessment, which pays for water used for cropland irrigation, is included in the tax bill.
- 10e. FWP is not expected to gain revenue from the proposed acquisition. A possible share crop lease may be entered to continue farm practices, provide wildlife habitat and wildlife winter forage. Typically there is no net gain in this arrangement as the lease value or profit is often invested in the parcel. FWP would evaluate various habitat management alternatives and their cost effectiveness.
- 10f. Initial costs to maintain this property would be minimal. In an effort to manage public use and limit trespass on neighboring properties, FWP would put up boundary signs. Annual weed control will primarily be the responsibility of the sharecropper in agricultural production fields and FWP will work cooperatively with the Richland County Weed District to control weeds in riparian habitat areas. Costs associated with weed control are not expected to increase significantly beyond current costs for Elk Island WMA. Because Elk Island WMA is adjacent to the property proposed for acquisition, management costs would be less than at a new isolated property. The area biologist and local FWP warden already travel to the site and monitor the area. The acquisition would require some redirection of some of the Glendive biologist's time to implement the on-the-ground management applications and habitat enhancements including developing new plantings and food plots. The majority of this time commitment will be short-term and the project should not require significantly more daily management effort than is being expended now.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X positive			11c
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		N/A				
e. Other		X				

11c. The property is accessible off Montana Highway 16 by a good gravel county road. FWP acquisition would allow more public access – limited only by stay limits, parking and other management regulations common to public property and resource conservation. After reviewing the existing Block Management areas along the Yellowstone River and taking into account that the property is adjacent to the Elk Island WMA, Region 7 staff suggests a minimum of 700 hunter days per year could occur annually on Elk Island WMA. This is a unique opportunity to purchase Yellowstone River bottomland and frontage, and to expand the footprint of an existing WMA for public use and enjoyment. The property can enhance opportunities for wildlife viewing, hiking, photography, and nature study. Recently, several Yellowstone River properties in the area have sold to parties that have closed public access for recreational activities. This

trend has increased in recent years and is expected to accelerate. FWP ownership of the property would help minimize recreational conflicts with neighbors due to enlarging the WMA and defining property boundaries with signs.

12. CULTURAL/HISTORICAL RESOURCES	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		N/A				
e. Other		X				

The continuation of hunting and recreation and some degree of crop production as proposed would continue the historic activities and similar cultural values held in this area. No areas are proposed for new surface disturbance or excavation.

C. SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)			X positive			
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. For P-R/D-J, list any federal or state permits required.		N/A				
h. Other		X				

The proposed acquisition is expected to have no significant negative cumulative effects on the physical and human environments. Rather, purchasing the property will improve recreational opportunities and wildlife habitat in the Yellowstone River riparian corridor. Traditional landowners along the Yellowstone River continue to receive increasing pressure to sell their land for recreational purposes, and the outlook for public recreational use and improvement of wildlife habitat on the property would be doubtful if the property is not acquired by FWP.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition on the Yellowstone River would allow FWP to conserve and enhance wildlife habitat and provide public access to hunters and recreationists in perpetuity. As housing and industrial developments expand to this region and agricultural practices become more intensive, pockets of native riparian vegetation become more valuable to provide habitat to maintain wildlife populations for recreation and hunting activities.

The proposed land acquisition would have no significant negative cumulative effects on the physical and human environments. When considered over the long-term, this action poses positive effects for conserving and restoring riparian zones and the public's continuing access to a scenic reach of the Yellowstone River. In combination with the continued crop land management, this mosaic of wildlife habitat is a prime resource.

The minor impacts that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment would continue to exist to provide habitat to transient and permanent wildlife species. If acquired, the WMA would be open to the public for access to the river for bank and wade fishing, floating activities, deer hunting, upland game bird hunting, waterfowl hunting, trapping, hiking, wildlife viewing, berry and agate picking.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manner about the proposed action and alternatives considered, and how to comment on this current EA:

- One public notice in each of these papers: *Sidney Herald* and *Helena Independent Record*;
- One statewide press release;
- Public hearing in Savage, MT at the Savage High School Cafeteria at 6:00 p.m. on Monday, September 30, 2013.
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Direct mailing to adjacent landowners and interested parties;
- Copies will be available for public review at FWP Region 7 Headquarters.

This level of public notice and participation is appropriate for a project of this scope having limited and very minor impacts, many of which can be mitigated. A public hearing is required by Habitat Montana projects as per MCA 87-1-241 (2). The Richland County Commissioners are also provided direct notification of the proposed acquisition as required.

2. Duration of comment period:

The public comment period will extend for twenty-one (21) days. Written comments will be accepted until 5:00 p.m., Tuesday, October 1, 2013 and can be mailed to the address below:

Elk Island WMA Addition
Melissa Foster
P.O. Box 342
Wibaux, MT 59353

Or email comments to: mfoster@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this 30 environmental review found no significant impacts from the proposed land acquisition. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit MFWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing the EA:

Melissa Foster, R7 Biologist, Glendive
John Ensign, R7 Wildlife Manager, Miles City
Hugh Zackheim, Lands Program Manager, Helena

3. List of agencies consulted during preparation of this EA:

- Richland County Weed District
- Montana Fish, Wildlife & Parks Wildlife Bureau & Lands Section
- Department of Natural Resources Floodplain Mapping website
- U.S. Fish & Wildlife Service Wetlands Inventory Mapping website
- Natural Resources & Conservation Service Soil Inventory website

APPENDICES

- A. Elk Island WMA Management Plan Addendum
- B. Socio-Economic Assessment

APPENDIX A

ELK ISLAND WMA MANAGEMENT PLAN ADDENDUM

Introduction

This document is intended to provide management direction for the Elk Island Wildlife Management Area (WMA) addition. The addition will be included in the existing Management Plan for the Elk Island and Seven Sisters Wildlife Recreation Areas, 1990. Both these areas have been renamed as Wildlife Management Areas.

The Goals, Objectives and Strategies as stated in the management plan are the same for the new addition. The main management goal for Elk Island WMA and the addition is to maximize hunting opportunity, primarily for white-tailed deer and pheasants consistent with maintaining wildlife populations and habitat on the area in a viable, healthy condition.

Project Description

The proposed addition is located in Township 20 North, Range 58 East, Section 22 N2N2SE4, Richland County. Approximately 36.5 acres are proposed for acquisition.

Management Strategies

1. The entire addition will be managed as a walk-in only area with access from the parking area located at the Elk Island WMA and FAS immediately south of the parcel or boat-in access from the Yellowstone River.
2. The agricultural land will be managed as cropland to benefit wildlife and included in the agreements with future lessees. Crops and cover mixtures will be determined by the local Wildlife Biologist to restore riparian areas and sustain wildlife populations with emphasis on white-tail deer and pheasants.
3. The overall strategy is to manage this new acquisition as an addition to the existing Elk Island WMA including the naming on future signs. The management plan for the entire area including the new parcel will be rewritten in 2013 and will be available for public review.

APPENDIX B SOCIO-ECONOMIC ASSESSMENT

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature and encoded in Sections 87-1-241 and 87-1-242, Montana Code Annotated (MCA), established policies and funding for the Habitat Montana program through which Montana Fish, Wildlife and Parks (FWP) acquires interests in land to secure, develop and maintain wildlife habitat. Acquisitions can be by fee title, conservation easement, or lease. In 1989, the Montana legislature passed House Bill 720, requiring that FWP prepare a socioeconomic assessment for Habitat Montana acquisitions. The purpose of the socioeconomic assessment is to evaluate any “significant potential social and economic impacts” of the acquisition on local governments, employment, schools, and local businesses.

This socioeconomic assessment addresses Montana Fish, Wildlife and Parks’ proposed purchase of approximately 36.5 acres in Richland County, to be managed as an addition to FWP’s existing Elk Island Wildlife Management Area (WMA).

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

Elk Island Wildlife Management Area (WMA) is located about 3 miles northeast of Savage, Montana, along the Yellowstone River in Richland County. This WMA, located on the mainland west shore of the river and a river island, consists of a variety of habitat types including riparian cottonwood and ash forests intermixed with willow, buffaloberry, and other shrubs, grasslands, shrublands, and managed croplands. The proposed addition to the Elk Island WMA consists of one 36.5 acre privately owned tract that borders the existing WMA. A detailed description of the property and relevant maps are included in the Environmental Assessment.

B. Habitat and Wildlife Populations

The proposed addition is primarily intensively-farmed riparian cropland along the Yellowstone River. The Yellowstone River riparian corridor is key to maintaining stable white-tailed deer, pheasant, turkey, furbearer and native species populations because it provides critical winter habitat that is lacking in surrounding uplands. In addition, the lower Yellowstone River provides habitat for many more nongame species, both migratory and resident (See Table 1 and the wildlife checklist in the attached EA). The proposed acquisition would benefit fish and wildlife habitat because riparian areas would be protected from development and enhanced for wildlife benefit.

C. Current Use

From a wildlife habitat standpoint the current condition of the 36.5 acre parcel is fair to poor based upon the intensive nature of irrigated agriculture. However, there is great potential to restore and enhance the area for wildlife and recreation benefit. The parcel is served by irrigation water from the Lower Yellowstone Irrigation District. No livestock grazing occurs on the property at the present time. No property improvements (fencing, buildings, etc.) are located

on the proposed addition. The existing Elk Island WMA is open to public recreational uses, including hunting, fishing and wildlife viewing. Boat access to the Yellowstone River access is provided through a FWP fishing access site adjoining the WMA. Camping on the WMA is allowed with a 7-day limit and daily occupancy required.

III. SOCIAL AND ECONOMIC IMPACTS

Land Management and Government Services:

The proposed land acquisition will add approximately 36.5 acres to the existing wildlife management area. The parcel is currently intensively farmed cropland. Under FWP management, this acreage will be managed as open space and habitat, with restoration of riparian areas and habitat, some areas of continued agricultural production (implemented through a share-crop agreement), and agricultural food plots to provide wildlife winter food and cover.

No change in local government services is anticipated for the property, and there will be no residences or permanent residents. FWP game wardens that patrol the existing Elk Island WMA will also patrol the additional land and will continue to cooperate with local law enforcement. FWP has a weed management agreement in place with the Richland County Weed District, specifying respective roles in control efforts for noxious weeds on FWP lands in the county. Specifically for the Elk Island WMA the agreement calls for weed district personnel to treat noxious weeds along roads and paths to reduce the spread of weeds off-site and to stop new infestations before they spread. Weed infestations in the interior of the WMA are also treated, depending on the severity of infestation, weed district time and personnel constraints, and accessibility for equipment. The additional lands to be acquired for the WMA will be subject to this agreement.

Economic Activity:

The financial impacts to local businesses (i.e., income and employment) are addressed by looking at the change in expenditures associated with the activities this property currently provides, compared to the activities that would occur under FWP's proposed land acquisition. FWP acquisition of these 36.5 acres will make this currently private land available for public recreation, thus increasing opportunities for hunting, wildlife viewing, and (depending on management direction) river floating/camping. These uses can be expected to provide a minor boost to regional economic activity (such as food/lodging and sporting equipment sales) associated with hunting, floating and other outdoor recreation.

Under FWP management, some portion of the existing crop land acreage will continue to be irrigated and managed for crop production. This farming activity is likely to be administered through a share-cropping arrangement with a local private agricultural operator, through which the operator retains a portion of the crop for commercial benefit and implements habitat projects and/or leaves a portion of the crop in the field for wildlife food and cover. Because the land is currently farmed by the landowner and the acreage is relatively small, there will be no significant difference in economic return in comparing the current situation and the situation under FWP ownership although the acreage of crop land will be reduced as FWP management emphasizes development natural habitat. FWP experience with its other river bottom WMAs has shown the wildlife benefits of continued crop land management, thus some portion of the addition will

likely remain in cropland production (the western portion that is furthest from the river channel). Additionally, FWP plans to retain the water shares from the Lower Yellowstone Irrigation District by continuing to use those shares for productive crop irrigation.

In sum, FWP ownership of the property could have a minimally positive impact on local economic activity through improved public recreational opportunities and the resulting effect on local businesses that provide related goods and services. FWP's agricultural management will generally continue the status quo, although acreage of farm land will decrease. The additional FWP land will require no additional public services, except some additional weed control efforts consistent with the existing agreement.

Property Taxes:

The sale of the fee title land and subsequent title transfer to FWP will not change the tax revenue that Richland County currently collects on this property because, under Section 87-1-603, MCA, FWP is required to pay "to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen." Current property taxes on 36.5 acres are approximately \$3,400 annually, and FWP will continue to make these payments based on the assessment provided by Richland County. The annual payment due to the Lower Yellowstone Irrigation District for the water used for crop land irrigation is included in the property taxes to Richland County.

IV. FINDINGS AND CONCLUSIONS

Montana Fish, Wildlife and Parks' fee title acquisition of 36.5 acres for addition to the Elk Island Wildlife Management Area will provide long term protection of wildlife habitat, maintain the rural open space integrity of the area, continue cooperative private agricultural practices, and provide additional public recreation opportunities. Overall, the acquisition will not have any "significant potential social and economic impacts." Rather, FWP ownership of the property is expected to have a minimally positive impact on local economic activity through improved public hunting opportunities and through continuation of cooperative agricultural operations. Placing this land in FWP ownership will not require any additional local government services. The land acquisition will not cause a reduction in county tax revenues on this property, nor will it reduce proceeds to the Lower Yellowstone Irrigation District.